



INDEX
TO THE
CONSTITUENT ASSEMBLY
OF PAKISTAN DEBATES

VOLUME X-1951

(17th to 21st November, 1951)

TENTH SESSION

OF THE
CONSTITUENT ASSEMBLY OF PAKISTAN
1951

Printed by the Manager, Government of Pakistan Press, Karachi
Published by the Manager of Publications, Karachi : 1953
Price : Annas 5 or 8d. or 10 cents.



CONSTITUENT ASSEMBLY OF PAKISTAN DEBATES

Official Report

VOLUME X-1951

(17th to 21st November, 1951)

TENTH SESSION

of the

CONSTITUENT ASSEMBLY OF PAKISTAN DEBATES

1951

CONSTITUENT ASSEMBLY OF PAKISTAN

President

The Honourable Mr. Tamizuddin Khan.

Panel of Chairmen

Mr. Ghulam Bhik Nairang.

Maulana Muhammad Akrum Khan.

The Honourable Mr. Abdul Hamid.

Shri Sris Chandra Chattopadhyaya.

Secretary

Mr. M. B. Ahmad, M.A. (ALIG.), M.LITT. (CANTAB.), P.A.S.

Joint Secretary

Mr. K. Ali Afzal, BARRISTER-AT-LAW.

Deputy Secretaries

Mr. H. M. Khan, B.A. (HONS.).

Mr. Hasan A. Shaikh, B.A. (HONS.), LL.B.

Assistant Secretary

Mr. Mohammad Zakir, B.A.

CONTENTS

Volume X—17th to 21st November, 1951

	PAGES.
Saturday, the 17th November, 1951—	
Members Sworn'	1
Prayers for the Soul of the Hon'ble Mr. Liaquat Ali Khan ...	1—2
The Constitution (Second Amendment) Bill— <i>Introduced and consideration postponed</i>	2—17
The Delimitation of Constituencies (Adult Franchise) (Amendment) Bill— <i>Introduced and consideration postponed</i>	17—18
Presentation of the Report of the Committee on Constitutional and Administrative Reforms in Baluchistan	18
Budget Estimates of the Constituent Assembly of Pakistan— <i>Adopted</i>	18—20
Appendix—Report of the Committee on Constitutional and Administrative Reforms in Baluchistan	21—48
Monday, the 19th November, 1951—	
The Constitution (Second Amendment) Bill— <i>Passed as amended</i> ...	49 - 53
The Delimitation of Constituencies (Adult Franchise) (Amendment) Bill— <i>Passed</i>	54
Motion <i>re</i> amendment of C. A. P. Rules— <i>Postponed</i>	54—56
Wednesday, the 21st November, 1951—	
Addition of new rule 6B to C.A.P. Rules of Procedure— <i>Adopted</i>	57—65.

INDEX

TO THE

CONSTITUENT ASSEMBLY OF PAKISTAN

DEBATES

VOLUME X—1951

[17th to 21st November, 1951]

A

ADJOURNMENT OF HOUSE—

Prayers for the soul of the Hon'ble Mr. Liaquat Ali Khan. 1-2.

ADULT FRANCHISE—

The Delimitation of Constituencies (———)

(Amendment) Bill—

Motion for consideration adopted. 17-18.

AMENDMENT(S)—

Government of India Act, 1935—

Constitution (Second ———) Bill. 2—17.

Indian Independence Act, 1947—

Constitution (Second ———) Bill. 2—17.

B

BILL(S)—

Constitution (Second Amendment)

Introduced. 2.

Motion to consider adopted. 2—7.

Consideration clause by clause postponed. 7—16.

Consideration clause by clause—

Clause 2 negatived. 49.

Clause 3—Amendment by Shri Kamini Kumar Dutta negatived. 49-50.

Clause 2 adopted. 50.

Clause 4 adopted. 50.

Clause 5—Amendment by Shri Kamini Kumar Dutta negatived. 50-51.

Clause 5 adopted. 51.

Clauses 6 and 7 adopted. 51.

Clause 8—Amendment by the Hon'ble Dr. Ishtiaq Husain Qureshi adopted. 51—53.

Clause 8, as amended, adopted. 53.

Clause 9 adopted. 53.

Clause 1 adopted. 53.

Title and Preamble adopted. 53.

Bill, as amended, adopted. 53.

Delimitation of Constituencies (Adult Franchise) (Amendment)

Motion for consideration adopted. 17-18.

Consideration clause by clause—

Clauses 2 and 3 adopted. 54.

Clause 1 adopted. 54.

Title and Preamble adopted. 54.

Bill adopted. 54.

BUDGET ESTIMATE(S)—

Allowance(s) and Honoraria—

Charges in England—

Other Charges—

Pay of Establishment—

Pay of Officers—

——— of the Constituent Assembly of Pakistan. 18—20.

C

COMMITTEE(S)—
Report of the — on Constitutional and Administrative Reforms in Baluchistan—
Presentation of —. 17, 21—48.

CONSTITUENCY(IES)—

Delimitation of—

— (Adult Franchise) Amendment) Bill—

Motion for consideration adopted. 17-18.

CONSTITUTION (SECOND AMENDMENT) BILL—

Introduced. 2.

Motion to consider adopted. 2—7.

Consideration clause by clause postponed. 7—16.

Consideration clause by clause—

Clause 2 negatived. 49.

Clause 3—Amendment by Shri Kamini Kumar Dutta Negatived. 49-50.

Clause 3 adopted. 50.

Clause 4 adopted. 50.

Clause 5—Amendment by Shri Kamini Kumar Dutta negatived. 50-51.

Clause 5 adopted. 51.

Clause 6 and 7 adopted. 51.

Clause 8—Amendment by the Hon'ble Dr. Ishtiaq Husain Qureshi adopted. 51—53.

Clause 8, as amended, adopted. 53.

Clause 9, adopted. 53.

Clause 1, adopted. 53.

Title and Preamble adopted. 53.

Bill, as amended, adopted. 53.

CONSTITUENT ASSEMBLY OF PAKISTAN—

Amendment of — Rules.
Motion re. —.

D

DELIMITATION COMMITTEE(S)—

Delimitation of Constituencies (Adult Franchise) (Amendment) Bill—

Motion for consideration adopted. 17-18.

Consideration clause by clause—

Clauses 2 and 3 adopted. 54.

Clause 1 adopted. 54.

Title and Preamble adopted. 54.

Bill adopted. 54.

DISQUALIFICATION(S) FOR MEMBERSHIP—

New rule 6-B—

Motion re addition of — to Constituent Assembly of Pakistan Rules of Procedure. 57—65.

G

GOVERNMENT OF INDIA ACT, 1935—

Amendment of—

Constitution (Second Amendment) Bill. 2—17.

GOVERNOR-GENERAL—

Partially Excluded Areas—

Powers in respect of High Courts—

Constitution (Second Amendment) Bill. 5—17.

H

HIGH COURT(S)—

Powers of Governor-General—

Constitution (Second Amendment)

Bill. 5—17.

I

INDIAN INDEPENDENCE ACT, 1947—

Amendment of—

Constitution (Second Amendment) Bill. 2—17.

M

MEMBERS SWORN—

Amir Azam Khan, Sardar. 1.
 Ghulam Bhik Nairang, Syed. 1.
 Gurmani, The Hon'ble Mr. Mushtaq Ahmad. 1.
 Khalil-ur-Rehman, Syed. 1.
 Nazimuddin, The Hon'ble Khwaja. 1.
 Sadiq Hasan, Shaikh. 1.
 Shaukat Ali, Malik. 1.

MOTION(S)—

— *re* Amendment of Constituent Assembly Rules—

Consideration postponed 54—56.
 — *re* Addition of new rule 6B to Constituent Assembly of Pakistan Rules of Procedure.

Consideration moved. 57-58.

Amendment to clause (b) of sub-rule (2) by Shri Dharendra Nath Dutta negatived. 60-61.

Amendment to clause (a) of sub-rule (1) by the Hon'ble Dr. Mahmud Husain adopted. 61.

Amendments to clause (b) of sub-rule (1) by the Hon'ble Dr. Mahmud Husain adopted. 61-62.

Amendments to clause (c) of sub-rule (1) by the Hon'ble Dr. Mahmud Husain adopted. 62.

Consideration of motion, as amended, adopted. 62—65.

N

NATIONALITY LAW—

Constitution (Second Amendment) Bill. 49.

O

OATH OR AFFIRMATION—

Amir Azam Khan, Sardar. 1.
 Ghulam Bhik Nairang, Syed. 1.
 Gurmani, The Hon'ble Mr. Mushtaq Ahmad. 1.
 Khalil-ur-Rehman, Syed. 1.
 Nazimuddin, The Hon'ble Khwaja. 1.
 Sadiq Hasan, Shaikh. 1.
 Shaukat Ali, Malik. 1.

P

PARTIALLY EXCLUDED AREA(S)—

Powers of Governor-General—
 Constitution (Second Amendment) Bill. 5—17.

POINT(S) OF ORDER—

As the Hon'ble Pirzada Abdus Sattar Abdur Rahman moved for the consideration of the Bill, Mian Mohammad Iftikharuddin, raised the point that the Members have not been given two days' clear time for giving notice of amendments as provided by rule 57 of the Constituent Assembly of Pakistan Rules of Procedure. Mr. Abdulla Al-Mahmood was of the view that rule 47 was applicable here. The Hon'ble Pirzada Abdus Sattar Abdur Rahman, however, pointed out that that objection can be taken up when the Bill is moved clause by clause. He said he was in order to move for consideration as it was not the stage of consideration clause by clause. The Hon'ble President ruled that the present motion is in order. "If the Bill is sought to be considered clause by clause, then probably the other question might arise". 2—7.

When the motion for consideration of Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to Rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only

POINT(S) OF ORDER—*contd.*

rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

PRAYERS—

— for the soul of the Hon'ble Liaquat Ali Khan. 1.

R

REFORM(S)—

Baluchistan Committee Report—
Presentation of —, 17, 21—48.

REPORT(S)—

Committee on Constitutional and Administrative Reforms in Baluchistan—
Presentation of — of the —, 18, 21—48.

RULE(S) OF PROCEDURE—

Addition of rule 6B—

— to Constituent Assembly of Pakistan —, 57—65.

C. A. P.—

Motion *re* amendment of Constituent Assembly Rules. 54—56.

Deletion of rule 6 (5)—

Addition of new rule 6B to Constituent Assembly of Pakistan —, 65.

RULING(S) FROM THE CHAIR—

As the Hon'ble Pirzada Abdus Sattar Abdur Rahman moved for the consideration of the Bill, Mian Mohammad Iftikharuddin raised the point that the Members have not been given two days' clear time for giving notice of amendments as provided by rule 57 of the Constituent Assembly of Pakistan Rules of Procedure. Mr. Abdulla Al-Mahmood was of the view that rule 47 was applicable here. The Hon'ble Pirzada Abdus Sattar Abdur Rahman, however, pointed out that that objection can be taken up when the Bill is moved clause by clause. He said he was in order to move for consideration as it was not the stage of consideration clause by clause. The Hon'ble President ruled that the present motion is in order. "If the Bill is sought to be considered clause by clause, then probably the other question might arise". 2—7.

When the motion for consideration of Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said

that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

S

SEAT(S) GENERAL—

Sind Legislative Assembly—

Constitution (Second Amendment)
Bill. 5.

SIND—

Delimitation of Constituencies—

The ——— (Adult Franchise)
(Amendment) Bill—

Motion for consideration
adopted. 17-18.

SIND LEGISLATIVE ASSEMBLY—

General Seat—

Constitution (Second Amendment)
Bill. 5—17.

SEAT(S) GENERAL--
Sind Legislative Assembly--
Constitution (Second Amendment)
BILL 5
SIND--
Determination of Constituencies--
The --- (Adult Franchise)
(Amendment) Bill
Motion for consideration
adopted 17.12.51
SIND LEGISLATIVE ASSEMBLY--
General Seat--
Constitution (Second Amendment)
BILL 5-17

that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The honorable Member Abdul Wahid Nizami referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend consideration to mover of amendments if moved without requisite notice. The Honorable President thereupon said that we have been following the practice for long and none objected to it. The remark was made here and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7-17.

NOMINAL INDEX

to the

CONSTITUENT ASSEMBLY OF PAKISTAN DEBATES

VOLUME X—1951

[17th to 21st November, 1951]

A

ABDUL HAMID, THE HON'BLE MR.—

Constitution (Second Amendment) Bill—

Consideration clause by clause. 10.

Delimitation of Constituencies (Adult Franchise) (Amendment) Bill. 17.

When the motion for consideration of Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. — said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by

clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

ABDULLA AL-MAHMOOD, MR.—

Constitution (Second Amendment) Bill—

Motion to consider adopted. 4.

As the Hon'ble Pirzada Abdus Sattar Abdur Rahman moved for the consideration of the Bill, Mian Mohammad Iftikharuddin raised the point that the Members have not been given two days' clear time for giving notice of amendments as provided by rule 57 of the Constituent Assembly of Pakistan Rules of Procedure. — was of the view that rule 47 was applicable here. The Hon'ble Pirzada Abdus Sattar Abdur Rahman, however, pointed out that that objection can be taken up when the Bill is moved clause by clause. He said he was in order to move for consideration as it was not consideration clause by clause. The Hon'ble President ruled that the present motion is in order. "If the Bill is sought to be considered clause by clause, then probably the other question might arise". 2—7.

ABDUS SATTAR ABDUR RAHMAN, THE HON'BLE PIRZADA—

As — moved for the consideration of the Bill, Mian Mohammad Iftikharuddin raised the point that the Members have not been given two days' clear time for giving

ABDUS SATTAR ABDUR RAHMAN,
THE HON'BLE PIRZADA—

notice of amendments as provided by rule 57 of the Constituent Assembly of Pakistan Rules of Procedure. Mr. Abdulla Al-Mahmood was of the view that rule 47 was applicable here. ——— however, pointed out that that objection can be taken up when the Bill is moved clause by clause. He said he was in order to move for consideration as it was not consideration clause by clause. The Hon'ble President ruled that the present motion is in order. "If the Bill is sought to be considered clause by clause, then probably the other question might arise". 2—7.

Constitution (Second Amendment)
Bill—

Introduced. 2.

Motion to consider adopted.
2—7.

Consideration clause by clause
postponed. 7 16.

Clause 2—negation moved
and adopted. 49.

Clause 3—amendment by
Shri Kamini Kumar Dutta.
50.

Clause 4 adopted. 50.

Clause 5—Amendment by
Shri Kamini Kumar Dutta.
51.

Clauses 6 and 7 adopted.

Bill as amended adopted. 53.

The Delimitation of Constituencies
(Adult Franchise) (Amendment)
Bill—

Motion for consideration adop-
ted. 17-18.

Bill adopted. 54.

Motion *re*: Amendment of Con-
stituent Assembly Rules—

Consideration postponed.
54—56, 60.

Motion *re* addition of new rule
6B to Constituent Assembly
of Pakistan Rules of Proce-
dure—

Consideration moved. 57-58.
Amendment to clause (b)

of sub-rule (2). 60-61.

Amendment to clause (a)
of sub-rule (1). 61.

Amendments to clause (b)
of sub-rule (1). 61-62.

Amendments to clause
(c) of sub-rule (1). 62.

Consideration of motion as
amended. 62, 63, 64, 65.

When the motion for consideration of Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only national interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

AMIR AZAM KHAN, SARDAR—

Members Sworn. 1.

C

CHAKRAVERTY, PROF. RAJ
KUMAR—

Constitution (Second Amendment)
Bill—

Consideration clause by clause.
14.

CHATTOPADHYAYA, SHRI SRIS
CHANDRA—

Constitution (Second Amendment)
Bill—

Consideration clause by clause.
10, 14.

D

DUTTA, SHRI DHIRENDRA NATH—

As the Hon'ble Pirzada Abdus Sattar Abdur Rahman moved for the consideration of the Bill, Mian Mohammad Iftikharuddin raised the point that the Members have not been given two days' clear time for giving notice of amendments as provided by rule 57 of the Constituent Assembly of Pakistan Rules of Procedure. Mr. Abdulla Al-Mahmood was of the view that rule 47 was applicable here. The Hon'ble Pirzada Abdus Sattar Abdur Rahman, however, pointed out that that objection can be taken up when the Bill is moved clause by clause. He said he was in order to move for consideration as it was not consideration clause by clause. The Hon'ble President ruled that the present motion is in order. "If the Bill is sought to be considered clause by clause, then probably the other question might arise". 2—7.

Constitution (Second Amendment) Bill—

Motion to consider adopted. 4, 5.

Consideration clause by clause. 8, 10.

Clause. 2—49.

Motion *re* addition of new rule 6B to Constituent Assembly of Pakistan Rules of Procedure—

Consideration moved—

Amendment to clause (b) of sub-rule (2) negatived. 60-61.

Consideration of motion as amended. 65.

When the motion for consideration of Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor

of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. — opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend the concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

DUTTA, SHRI KAMINI KUMAR—

Constitution (Second Amendment) Bill—

Consideration clause by clause. 9.

Clause 2—amendment moved and negatived. 49-50.

Clause 5—amendment moved and negatived. 50-51.

When the motion for consideration of the Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. ——— referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dhirendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

F

FAZLUR RAHMAN, THE HON'BLE MR.—

Budget Estimates of the Constituent Assembly of Pakistan. 20.

Constitution (Second Amendment) Bill—

Motion to consider ——— adopted. 3, 4, 5, 7.

Consideration clause by clause. 7, 8, 12, 13, 16.

The Delimitation of Constituencies (Adult Franchise) (Amendment) Bill. 17.

Motion re—

Addition of new rule 6B. to C. A. P. Rules of Procedure—
Consideration of motion as amended. 63.

When the motion for consideration of the Bill was adopted the ——— referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Datta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dhirendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

G

GHULAM BHIK NAIRANG, SYED—
Members Sworn. 1.

GURMANI, THE HON'BLE MR. MUSHTAQ AHMAD—

Members Sworn. 1.

I

IFTIKHARUDDIN, MIAN MOHAM-
MAD—

As the Hon'ble Pirzada Abdus Sattar Abdur Rahman moved for the consideration of the Bill, ——— raised the point that the Members have not been given two days' clear time for giving notice of amendments as provided by rule 57 of the Constituent Assembly of Pakistan Rules of Procedure. Mr. Abdulla Al-Mahrrood was of the view that rule 47 was applicable here. The Hon'ble Pirzada Abdus Sattar Abdur Rahman however pointed out that that objection can be taken up when the Bill is moved clause by clause. He said he was in order to move for consideration as it was not consideration clause by clause. The Hon'ble President ruled that the present motion is in order. "If the Bill is sought to be considered clause by clause, then probably the other question might arise". 2—7.

Addition of new rule 6B to Constitu-
tuent Assembly of Pakistan Rules
of Procedure—

Consideration of motion as
amended. 62, 63, 64, 65.

Budget Estimates of the Constitu-
ent Assembly of Pakistan. 19-
20.

Constitution (Second Amendment)
Bill—

Motion to consider adopted.
2, 3, 4, 5, 6, 7.

Consideration clause by clause.
9, 12, 13, 14, 16.

Clause 8—Amendment by
the Hon'ble Dr. Ishtiaq
Hussain Qureshi. 52, 53.

J

JAFFER, MR. AHMAD, E. H.—

Delimitation of Constituencies (Adult
Franchise) (Amendment) Bill—

Bill adopted. 54.

JAHAN ARA SHAH NAWAZ,
BEGUM—

Constitution (Second Amendment)
Bill—

Consideration clause by clause—

Clause 8—Amendment by the
Hon'ble Dr. Ishtiaq Husain
Qureshi. 53.

K

KHALILUR-REHMAN, SYED—

Members Sworn. 1.

KHUHRO, THE HON'BLE MR.
M. A.—

Constitution (Second Amendment)
Bill—

Consideration clause by clause.
16.

L

LIAQUAT ALI KHAN, THE
HON'BLE MR.—

Prayers for the soul of the —.
1, 2.

M

MAHMUD HUSAIN, THE HON'BLE
DR.—

Motion re—

Addition of new rule 6B to Consti-
tuent Assembly of Pakistan
Rules of Procedure—

Consideration moved—

Amendment of clause (a),
sub-rule (1) adopted. 61.

Amendments of clause (b),
sub-rule (1) adopted.
61-62.

Amendments of clause (c),
sub-rule (1) adopted. 62.

Budget Estimates of the Consti-
tuent Assembly of Pakistan. 18—
20.

The Delimitation of Constituencies
(Adult Franchise) (Amendment)
Bill. 17.

Presentation of Report of the Com-
mittee on Constitutional Admi-
nistrative Reforms in Baluchistan.
18, 21—48.

MR. PRESIDENT [THE HON'BLE
MR. TAMIZUDDIN KHAN]—

When the motion for consideration
of the Bill was adopted the Hon'ble
Mr. Fazlur Rahman referred to
rules 57 and 59 and held that
neither on grounds of fairness nor

of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon, said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

N

NAZIMUDDIN, THE HON'BLE
KHWAJA—

When the motion for consideration of the Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta opined that rules 56, 57 and 62

make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. The Hon'ble Sardar Abdur Rab Nishtar referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forthwith to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

Constitution (Second Amendment)
Bill—

Consideration clause by clause. 12-13, 14.

Members Sworn. 1.

Prayers for the soul of the Hon'ble Mr. Liaquat Ali Khan. 1—2.

NISHTAR, THE HON'BLE SARDAR
ABDUR RAB KHAN—

Constitution (Second Amendment)
Bill—

Motion to consider adopted. 3.

Consideration clause by clause. 8, 9, 10-11, 16.

When the motion for consideration of the Bill was adopted the Hon'ble Mr. Fazlur Rahman referred to rules 57 and 59 and held that neither on grounds of fairness nor of commonsense could it be sustained that the Bill cannot be proceeded with clause by clause. Logical conclusion demanded that consideration clause by clause followed the stage of adoption of consideration of Bill. Shri Kamini Kumar Dutta referred to rules 47 and 57 and held that the only rational interpretation would be that two clear days' notice should be given to Members that the Bill be taken up either at once or at any time specified afterwards. Shri Dharendra Nath Dutta

opined that rules 56, 57 and 62 make no distinction between the amendment of the Bill and the amendment of the clauses of the Bill. The Hon'ble Mr. Abdul Hamid said that rule 57 puts the mover of the amendment under certain obligations and not the mover of the Bill. Therefore that rule cannot operate against the mover. — referred to proviso to rule 47 and held that it was entirely within the discretion of the Chair to allow consideration clause by clause and also to extend the concession to mover of amendments if moved without requisite notice. The Hon'ble President, thereupon said that we have been following the practice for long and none objected to it. The remissness is there and it is the fault of the Secretariat who should in future circulate notices forth-with to Members. Accordingly the Bill would be taken up clause by clause after two days. 7—17.

Q

QURESHI, THE HON'BLE DR.
ISHTIAQ HUSAIN—

Constitution (Second Amendment)
Bill—

Consideration clause by clause—
Clause 8—Amendment moved
and adopted. 51—52.

S

SADIQ HASAN, SHAIKH—
Members Sworn. 1.

SHAUKAT ALI, MALIK—
Members Sworn. 1.

SHAUKAT HYAT KHAN, SARDAR—
Constitution (Second Amendment)
Bill—

Motion to consider adopted. 2.